

# **REQUEST FOR PROPOSAL**

## **INDEPENDENT AUDITING SERVICES**

**RFP NO. 2011-015**



**The Town of Miami Lakes Council:**

**Mayor Michael Pizzi  
Vice Mayor Nick Perdomo  
Councilmember Mary Collins  
Councilmember Timothy Daubert  
Councilmember Nelson Hernandez  
Councilmember Ceasar Mestre  
Councilmember Richard Pulido**

Alex Rey, Town Manager  
The Town of Miami Lakes  
15150 NW 79<sup>th</sup> Court, Suite 100  
Miami Lakes, Florida 33016

**DATE ISSUED: July 21, 2011**

**CLOSING DATE: August 11, 2011**

# Request for Proposals No. 2011-015

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**SECTION 1**  
**NOTICE TO PROPOSERS**  
**Town of Miami Lakes**  
**Independent Auditing Services**  
**RFP 2011-015**

The Town of Miami Lakes, Florida, (the "Town") is accepting sealed proposals from qualified firms to provide External Independent Auditing Services ("Services"). Proposals must be submitted in the form of one (1) original and five (5) copies of the Response, plus one (1) CD-ROM copy of the complete Technical Proposal in digital form, in both .pdf format and one (1) CD-ROM for the Price Proposal in digital .pdf format, and **must** be received by the Town Clerk of the Town, 15150 NW 79<sup>th</sup> Court, Miami Lakes, Florida 33016 **by no later than 2:00 P.M. on August 11, 2011**, at which time the time for receiving Responses will close.

Copies of the RFP, including all related documents can be obtained by visiting the Town's website at <http://www.miamilakes-fl.gov/>, and selecting "Contractual Opportunities". All documents will be in .pdf format, with some being fillable .pdf documents.

The Scope of Work includes providing External Independent Auditing Services for the annual examination of the Town's financial statements. The Town is seeking Responses from Certified Public Accountant firms licensed to practice in the State of Florida to serve as external auditors for two discrete segments of the Town, which are the General and Stormwater Segments.

Section 4.5 of the RFP stipulates the minimum requirements, which Proposers must meet to be considered for an award under this RFP.

**A NON-MANDATORY PRE-PROPOSAL CONFERENCE WILL BE HELD ON July 28, 2011 AT 10:00 AM IN THE TOWN HALL CONFERENCE ROOM, WHICH IS LOCATED AT 15150 NW 79<sup>TH</sup> COURT, MIAMI LAKES, FL 33016.**

All inquiries regarding this RFP **must** be directed to Gary Fabrikant, Procurement Manager, via e-mail to [fabrikantg@miamilakes-fl.gov](mailto:fabrikantg@miamilakes-fl.gov), with a copy to the Town Clerk at [tejedam@miamilakes-fl.gov](mailto:tejedam@miamilakes-fl.gov).

*Pursuant to subsection (t) "Cone of Silence" of Section 2-11.1 "Conflict of Interest and Code of Ethics Ordinance" of Miami Dade County, public notice is hereby given that a "Cone of Silence" is imposed concerning this solicitation. Failure to comply with the "Cone of Silence may result in the rejection of a Response. For additional information concerning the "Cone of Silence please refer to Section 2-11.1 of Miami Dade County Code.*

## SECTION 2 – SUBMISSION OF A RESPONSE

### 2.1 Submittal Requirements

Proposers submitting a response (“Response”) to this Request for Proposals (“RFP”) must submit both a Technical Response and a separate Price Response based on the requirements set forth in the RFP.

Sealed written Responses must be received by the Town of Miami Lakes; Town Clerk’s Office, no later than the date, time and at the location indicated in Section 1 of the RFP, in order to be considered responsive. Faxed or e-mail Responses are **not** acceptable, and will not be considered. **Responses received at any other location than the aforementioned or after the Proposal submission date and time shall be deemed non-responsive and shall not be considered.**

Only one (1) Response from an individual, firm, partnership, corporation, business entity, or joint venture will be considered in response to this RFP.

One (1) original and five (5) copies of the Response, plus one (1) copy of the complete Response in digital form (on CD-ROM in .pdf format as stated in Section 1, must be timely received by the Town or your Response may be disqualified.

### 2.2 Pre-Proposal Conference

A **non-mandatory** pre-proposal conference will be held on **July 28, 2011 at 10:00 A.M.** The conference will be held at Miami Lakes Town Hall, located at 15150 NW 79<sup>th</sup> Court, Miami Lakes, Florida 33016, in the first floor main conference room. Attendees are requested to sign-in and provide the requested information at the time of sign-in. Failure to attend or sign-in will not result in a Proposer’s Response being rejected, however participation is strongly encouraged.

### 2.3 Additional Information or Clarification

Requests for additional information or clarifications **must** be made in writing. Proposers **must** e-mail their requests for additional information or clarifications (“RFI”) in accordance with “Cone of Silence” and contact information provided in Section 1. Any request for additional information or clarification must be received ten days prior to the Response Submission Date.

The Town may issue responses to inquiries and any other corrections or amendments it deems necessary in written addendum, which will be issued prior to the Response Submission Date. The Town may not issue a response to all RFI submittals. Proposers should not rely on any oral or written representations, statements or explanations other than those made in this RFP or in any written addendum to this RFP. Where there appears to be conflict between the RFP and any addenda issued, the last addendum issued shall prevail.

**Addendum(s) will only be made available on the Town’s website and it is the Proposer’s sole responsibility** to ensure receipt of all addenda. Prior to submitting the Response, the Proposer should check the Town’s webpage identified in Section 1 for any addendum.

## **2.4 Agreement**

The Town anticipates awarding a contract for a three (3) year period with an option for an additional two (2) one-year periods for each fiscal year commencing with the fiscal year ending September 30, 2011. The Proposer(s) selected to provide the service(s) requested herein (the "Successful Proposer(s)") shall be required to execute an agreement ("Agreement") with the Town, a draft of which has been included as part of the RFP.

## **2.5 Price Proposal**

The Price Response will be publicly opened at the Evaluation Committee meeting immediately following evaluation of the Technical Proposals. The price score will be incorporated into the overall rating and ranking of the Responses.

The Town reserves the right to negotiate the final Agreement Price should that be deemed in the best interest of the Town.

## **2.6 Award of an Agreement**

An Agreement may be awarded to the Successful Proposer for the Services by the Town Council, based upon the requirements contained in the RFP. A draft Agreement attached hereto as Attachment A is hereby incorporated into and made a part of this RFP.

The Town may award an Agreement on the basis of the initial Response, without negotiations. As such, Proposer's Response should contain the Proposer's best terms from a technical and monetary standpoint.

The Town reserves the right to execute or not execute, as applicable, an Agreement with the selected Proposer, where it is determined to be in the Town's best interests. The Town does not represent that any award will be made.

## **2.7 Agreement Execution**

Proposer by submission of its Response agrees to execute the Agreement in substantially the form provided herein. Without diminishing the foregoing, the Proposer may request clarifications and submit comments concerning the Agreement for the Town's consideration.

Upon award of an Agreement, the contents of the Response of the Successful Proposer(s) may be included as part of the Agreement, at the Town's sole discretion.

Responses that are conditioned to mandatory additions, deletions or revisions to the Agreement's terms and conditions may be rejected as non-responsive.

## **2.8 Unauthorized Work**

The Successful Proposer(s) shall not begin providing any Services until the Town issues a Notice to Proceed. Such Notice to Proceed shall constitute the Town's authorization to begin work on the Services. Any unauthorized work performed by the Successful Proposer(s) shall be deemed non-compensable by the Town and Proposer will not have any recourse against the Town for performing unauthorized work.

## 2.9 Submittal Instructions

Careful attention must be given to all requested items contained in this RFP. Proposers are invited to submit Responses in accordance with the requirements of this RFP. **PLEASE READ THE ENTIRE SOLICITATION BEFORE SUBMITTING A RESPONSE.** Proposers shall make the necessary entry in all blanks and forms provided for the Response.

Responses shall be submitted in sealed envelope(s) or package(s) with the RFP number, title, and opening date clearly noted on the outside of the envelope(s) or package(s).

## 2.10 Changes, Alterations and Withdrawal

Responses shall be valid and irrevocable for at least 120 days. Proposer may change or withdraw a Response at any time prior to Response Submission Deadline. All changes or withdrawals shall be made in writing to the Town Clerk. Oral/Verbal modifications will not be allowed and will be disregarded. Written modifications will not be accepted after the Response Submission Deadline. Proposers shall not assign or otherwise transfer their Response. A transfer or assignment of the Response will result in the rejection of the Response as non-responsive.

## 2.11 Subconsultant(s)/Subcontractors

Subcontracting of the Services under this RFP are not permitted

## 2.12 Joint Ventures

Joint ventures are not permitted under this RFP and will be deemed non-responsive.

## 2.13 Discrepancies, Errors, and Omissions

Any discrepancies, errors, or ambiguities in the RFP or addenda (if any) should be reported in writing to the individual identified and in the manner prescribed in Section 1 of the RFP. Should it be necessary, the Town will issue a written addendum to the RFP clarifying such conflicts or ambiguities.

## 2.14 Disqualification/Rejection of Responses

**This RFP requires the use and submission of specific Town Forms. In addition, the RFP requires the submission of additional documents and information. These are must type requirements that must be met to be considered responsive. Failure to utilize the Town Forms and submit the required documents will result in the rejection of the Response as non-responsive and it will not be considered. Modification of, retyping, or any alterations to the Town Forms will result in the rejection of a Response as non-responsive.**

The Town reserves the right to disqualify Responses before or after the submission date, upon evidence of collusion with intent to defraud or other illegal practices on the part of the Proposer. It also reserves the right to waive any immaterial defect or informality in any Response; to reject any or all Responses in whole or in part, or to reissue a Request for Proposals.

Throughout this RFP, the phrases “must” and “shall” will denote mandatory requirements. Any Response that does not meet the mandatory requirements is subject to immediate disqualification.

Any Proposer who submits in its Response any information that is determined by the Town, in its sole opinion, to be substantially inaccurate, misleading, exaggerated, or incorrect, shall be disqualified from consideration for award of the Agreement.

Any Response submitted by a Proposer who is in arrears, e.g., money owed or otherwise in debt by failing to deliver goods or services to the Town (including any agency or department of the Town) or where the Town has an open or liquidated claim against a Proposer for monies owed the Town at the time of Proposal submission, or if a Proposer has been declared in default or abandoned a prior Town contract or agreement, or has been debarred by an federal, State of Florida, or Florida public entity within the past five (5) years will be rejected as non-responsive and shall not be considered for award.

The Town, in its sole discretion may reject all responses, specific Responses, portions of a Response where such action is determined based on the RFP or the best interest of the Town.

## **2.15 Proposer's Expenditures**

Proposers understand and agree that any expenditure they make in preparation and submittal of Responses or in the performance of any services requested by the Town in connection with the Responses in response to this RFP are exclusively at the expense of the Proposers. The Town shall not pay or reimburse any expenditure or any other expense incurred by any Proposer in preparation of a Response, and/or anticipation of an award of a contract, and/or to maintain the approved status of the Successful Proposer(s) if an Agreement is awarded, and/or administrative or judicial proceedings resulting from the solicitation process.

## **2.16 Due Diligence**

Proposers is solely responsible for performing all necessary investigations to inform themselves thoroughly as to all difficulties and issues involved in the completion of all Work required pursuant to the mandates and requirements of the RFP and the Agreement. No plea of ignorance of conditions or difficulties that may hereafter exist, or of conditions or difficulties that may be encountered in the execution of the Work as a result of failure to make the necessary examinations and investigations will be accepted as an excuse for a failure or omission on the part of the Proposer to fulfill, in every detail, all of the requirements of the Agreement, nor will they be accepted as a basis for any claims whatsoever for extra compensation or for an extension of time

## **2.17 Execution of Response**

The Proposal must be manually and duly signed by an authorized corporate officer, principal, or partner (as applicable) in blue ink with a signature in full. When a Partnership is the Proposer, the Proposal shall be signed in the name of the firm by one or more of the partners. When a corporation is the Proposer, the officer signing shall set out the corporate name in full beneath which he/she shall sign his/her name, give title of his/her office and affix the corporate seal and shall be attested to by the Corporate Secretary or Assistant Secretary. Corporations must furnish documentation demonstrating the officer's authority to sign on behalf of the corporation. Partnerships must furnish also furnish documentation demonstrating the partner's authority to sign on behalf of the partnership.

Anyone signing the Response as agent must file with the Response legal evidence of signature authority. Proposers who are nonresident corporations shall furnish to the Town a duly certified copy of their permit to transact business in the State of Florida with the Response. Failure to promptly submit this evidence or qualification to do business in the State of Florida may be basis for rejection of the Response.

Failure to properly execute the Response may result in the Response being rejected as non-responsive.

Proposer understands that by submitting this RFP such submittal does not constitute an agreement or contract with the Proposer.

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## **SECTION 3 –SCOPE OF SERVICE**

### **3.1. Standard Audit Requirements**

#### **A. Financial Statements**

The examinations will be financial and compliance audits in accordance with Florida Statutes 11.45, Chapter 10.550 Rules of the Auditor General, and US Office of Management and Budget (OMB) Circular A-133 in order to express opinions on the financial statements of the Town. The examinations should be to the extent necessary for the auditors to express opinions of the fairness with which the financial statements present the financial position, results of operations, and changes in financial position in conformity with the U.S. Generally Accepted Accounting Principles, the requirements of the Federal Single Audit Act of 1984, as amended, and the Florida Single Audit Act.

To this effect, the selected Proposer shall be familiar with the compliance requirements of any and all Federal, State, and County rules and regulations that may pertain to the work required in the engagement to include, but not limited to, the following:

1. Florida Statutes Section 11.45 and Chapter 10.550 Rules of the Auditor General
2. AICPA's Audits of State and Local Governments
3. Comptroller General of the United States Government Auditing Standards
4. Federal Single Audit Act and OMB Circular A-133
5. Florida Single Audit Act
6. Federal Grant Contract Requirements
7. State Grant Contract Requirements

The statements to be audited will be prepared by the Town's Finance Department. The Successful Proposer shall submit any proposed adjusting journal entries to the Town's Finance Director for review and approval in a timely manner.

The Town understands and agrees that the underlying books and records of account must be properly closed as required by Florida Statutes to maintain the independence of the auditors and allow the auditors reasonable time to meet completion deadlines.

#### **B. Review of Internal Control**

The selected Proposer shall conduct an evaluation of the system of internal control to assess the extent it can be relied upon to ensure accurate information, compliance with laws and regulations, and to provide for efficient and effective operations. The study of internal control should include:

1. Review of processes, which consist of obtaining an understanding of the organization and its prescribed procedures to serve as the basis for tests of compliance and evaluation of internal controls.
2. Tests of controls, which are made to provide reasonable assurance that accounting control procedures are being applied as prescribed.

### **C. Data Processing Review**

The Successful Proposer shall conduct a review to compare the calculating operations of the computerized systems with the desired results by tests of transactions, including a review of controls designed to assure protection of files and prevention of processing errors and a review of the data processing reports.

### **D. Additional Services**

If services are required which are related to, but not included in the Scope of Services for the annual audit services, the Town may request the selected Proposer to provide additional services which may include, but are not limited to:

1. The preparation of special reports for financing purposes as determined by the Town's Finance Director, litigation support as determined by the Town's Attorney, and any other special audits as deemed necessary by the Town's Finance Director.
2. Any other additional work, such as special internal control reviews, single audits, internal revenue service tax returns, efficiency reviews, benchmarking studies, rate matters or specialized research and training.

All additional services must be approved in advance in writing by the Town Manager or designee.

## **3.2 Annual Audit Requirements**

### **A. General**

The Successful Proposer shall perform in the capacity of principal auditor of the Town's Basic Financial Statement, auditing approximately 10 funds including the Town's General Fund, other governmental funds, and enterprise funds.

#### **Annual Audit Requirements**

The selected Proposer shall

- a. Complete all audit field work by January 15<sup>th</sup> and submit required independent auditor's report to the Town's Finance Director no later than February 28<sup>th</sup>, to include with the Comprehensive Annual Financial Report (CAFR). The CAFR includes the basic financial statements, combining individual fund financial statements, certain required supplementary information, and certain other supplementary financial data.
- b. Provide an annual financial and compliance audit of all Federal and State grant-in-aid programs and loans due 30 days subsequent to the audit report but no later than June 30<sup>th</sup> in accordance with OMB Circular A-133 (including American Recovery and Reinvestment Act (ARRA grants).
- c. Submit an annual management letter within 30 days after auditor's opinion in accordance with the Auditor General Rules 10.550 to make known certain recommendations of the selected Proposer which if implemented would, in the

selected Proposer's opinion, increase efficiency, improve internal controls, improve management, etc.

- d. Review and approve the release of the Comprehensive Annual Financial Report (CAFR). Please refer to the latest Town CAFR provided as an electronic file -in Attachment B.

### **3.3 Annual Audit Requirements For All Segments**

The Successful Proposed shall:

- a. Provide dedicated key personnel (i.e., Audit Partners, Audit Managers, Seniors, and staff) for the Town's audit engagement which will be primarily responsible for the timely completion of the audit.
- b. Submit 30 days prior to the commencement of each Town audit an annual audit work plan which shall identify the audit schedule; the key personnel assigned to the engagement including the responsibilities, and number of hours allocated to the Town's audit engagement; information on certification, licensure and CPE training; key tasks, audit quality control measures, and specific policies, procedures and techniques to be used for the timely completion of the audit, The work plan shall specifically address any substitution of the key personnel which were previously approved by the Town to perform services for the Town audit engagement. The recommended substitute shall have the same or higher qualifications, years of government experience, etc. as the personnel they are substituting for. The Town reserves the right to reject or approve substitution of key personnel. (See Article 11 of Attachment A.)
- c. Submit a management letter which shall identify control and management weaknesses observed, assess their effect on financial management and propose steps to eliminate them, for which the Town shall provide responses. The Successful Proposer shall then provide a final management report to the Town Council, which shall include the Town's responses to such finding identified by the Successful Proposer.
- d. Review and approve the release of the Comprehensive Annual Financial Report (CAFR) where applicable.
- e. Provide the Town with analysis of current developments of Governmental Accounting Standards Board (GASB) and Financial Accounting Standards Board (FASB) pronouncements.
- f. Make available the Successful Proposer's work papers to any Federal or State Agency upon request and in accordance with Federal and State Law and Regulations (without additional charge to the Town).
- g. Supply all necessary equipment, office supplies, computers, printers and software to conduct the onsite Segment Audit services requested herein including any broadband access equipments (e.g., "air card") that will allow connection to internet for access to selected Proposer's work e-mail and Virtual Private Network without reliance on, or interference with, Town's own network.

- h. Within five (5) days of completion of the final audit, deliver the final audit to the Town's Finance Director.

### **3.4 Performance Requirements**

The selected Proposer, in performing the Services requested herein, shall adhere to:

- 1) U.S. Generally Accepted Government Auditing Standards (GAGAS) applicable to governmental units, as promulgated by the U.S. Government Accountability Office (GAO).
- 2) Governmental standards promulgated by the Governmental Accounting Standards Board (GASB).
- 3) Federal and State statutes, reporting requirements under the Single Audit Act of 1984 as amended, the State of Florida Single Audit Act, OMB Circular A-133 and Rules of Auditor General (Section 10.557, Florida Statutes).
- 4) U.S. Generally Accepted Accounting Principles (GAAP).

## **SECTION 4 – RFP TERMS AND CONDITIONS**

### **4.1 Acceptance/Rejection**

The Town reserves the right to accept or reject any or all Responses or to select the Proposer that, in the opinion of the Town, is in its best interest. The Town also reserves the right to reject any Proposer(s) who has previously failed to properly perform under the terms and conditions of a contract, to deliver on time any contracts with the Town, and who is not in a position to perform the requirements defined in this RFP. Further, the Town may waive informalities, technicalities, minor irregularities, and/or request new Responses for the services specified in this RFP and may, at its discretion, withdraw and/or re-advertise the RFP. All such actions taken shall be in accordance with the applicable sections of the Town Code and this RFP.

### **4.2 Legal Requirements**

This RFP is subject to all applicable federal, state, county, Town and local laws, codes, ordinances, rules and regulations that in any manner affect any and all of the services covered herein. By submitting a Response the Proposer certifies that it has full knowledge of such laws, codes, and ordinances, and any lack of knowledge by the Proposer shall in no way be cause for relief from responsibility for compliance with these requirements.

### **4.3 Non-Appropriation of Funds**

In the event that insufficient funds are appropriated and budgeting or funding is otherwise unavailable in any fiscal period for this Project, then the Town, shall have the unqualified right to terminate the Agreements upon written notice to the Consultant, without any penalty or expense to the Town.

### **4.4 Business Tax Receipt Requirement**

Proposer(s) shall meet the Town's Business Tax Receipt requirements in accordance with the Town Code, as amended. Proposer(s) with a business location outside the Town of Miami Lakes shall meet the applicable local or County Business Tax Receipt or Occupational License requirements.

### **4.5 Minimum Qualification Requirements**

The Town is seeking to procure a qualified and experienced Certified Public Accounting firm meeting the following requirements:

- Hold an active license and be in good standing with the State of Florida Board of Public Accounting as a Certified Public Accountant in the State of Florida
- Be in good standing with the Government Finance Officers Association (GFOA), American Institute of Certified Public Accountants (AICPA), and the Florida Institute of Certified Public Accountants (FICPA).
- Completed within the past three (3) years as the prime contractor, two external governmental audits, for two different public entities, comparable in size and scope of the audit required by the RFP.
- Meet the established independence guidelines pursuant to Florida Statute §473.315 and Florida Administrative order 61H1-21.001

- Key Personnel must have successfully completed the number of required hours of continuing professional education for CPA;s engaged in governmental auditing pursuant to Florida Statute §473.312 and Governmental auditing Standards (Yellow Book).
- Have completed an external quality control review (peer review) without a failing score, within the past three (3) years in accordance with Generally Accepted Governmental Auditing Standards (GAGAS).

**A minimum of two (2) references from owner’s of the project(s) of a similar, size, scope, and complexity that have been completed in the past three (3) years that were in operation for no less than one (1) year are to be included in the Response.** The Proposer must utilize the Project Proposer’s Reference form (RFP-PP-R) for these references and the form must be signed by the owner of the project. Failure to submit the reference forms may result in the Response being deemed non-responsive.

#### **4.6 Local Preference**

This RFP is subject to the Local Business Preference as specified in Ordinance 09-115 of the Town Code.

#### **4.7 Public Entity Crimes**

Proposers must be in compliance with Section 287.133, Florida Statutes. Proposers shall submit Form PEC with their Response.

#### **4.8 Review of Responses for Responsiveness**

Each Response will be reviewed to determine if it is responsive to the submission requirements outlined in the RFP. A “responsive” Response is one which meets the requirements of the RFP and is submitted in the format outlined in the RFP, is of timely submission, can be evaluated in accordance with the Evaluation Criteria, and has appropriate signatures/attachments as required on each document. Failure of the Proposer to provide the information as required under Section 4 of the RFP may result in a rejection of the proposal as non-responsive.

#### **4.9 Collusion**

The Proposer, by submitting a Response, certifies that its Response is made without previous understanding, agreement or connection either with any person, firm, or corporation submitting a Response for the same services, or with any Town department. The Proposer certifies that its Response is fair, without control, collusion, fraud, or other illegal action. The Proposer further certifies that it is in compliance with the conflict of interest and code of ethics laws. The Town will investigate all situations where collusion may have occurred and the Town reserves the right to reject any and all Responses where collusion may have occurred.

The Proposer shall include in its Response, in the applicable section of its Response, the Non-Collusive Affidavit, included in this RFP as Form RFP-NCA. Failure by the Proposer to submit this affidavit will result in the Response being deemed non-responsive. Should the Proposer fail to include the affidavit with its Response the Town may, at its sole discretion, allow a Proposer a specified period of time to submit the affidavit to the Town, after which time the Response the will be deemed non-responsive.

#### **4.10 Clarifications**

The Town reserves the right to make site visits to facilities where the vendor has completed an implementation of a comparable system, visit the Proposer's place(s) of business, to request clarifications of information submitted and to request or obtain any necessary supporting documentation or information of one or more Proposers, after the deadline for submission of Responses.

#### **4.11 Key Personnel**

Subsequent to submission of a Response and prior to award of an Agreement Key Personnel shall not be changed. Any changes in Key Personnel **will** result in the Response being rejected and not considered for award. By submitting its Response the Proposer is certifying that the key personnel shall be dedicated and available to the Town's audit engagement excluding where such personnel are no longer available due to attrition, turnover, or request by the Town.

#### **4.12 Audit Rights and Records Retention**

The Successful Proposer agrees to provide access at all reasonable times to the Town, or to any of its duly authorized representatives, to any books, documents, papers, and records of Proposer which are directly pertinent to this RFP, for the purpose of audit, examination, excerpts, and transcriptions. The Successful Proposer shall maintain and retain any and all of the books, documents, papers and records pertinent to the RFP and any resulting Agreement for not less than three (3) years after the Town makes final payment, and all other pending matters are closed. Proposer's failure to or refusal to comply with this condition shall result in the immediate termination of the Agreement (if awarded) by the Town.

#### **4.13 Public Records**

Proposer understands that the Response is a "public record, and the public shall have access to all documents and information pertaining to the Response and the RFP, subject to the provisions of Chapter 119, Florida Statutes. The Proposer, by submitting a Response, acknowledges that the Town may provide public access to and/or copies of all documents subject to disclosure under applicable law.

Proposer must claim the applicable exemptions to disclosure as provided by said Florida Statute in its Response by identifying the materials to be protected and the reason why such exclusion from public disclosure meets the requirement of Chapter 119, Florida Statutes, and is necessary and legal.

#### **4.14 Conflict Of Interest**

Proposer, by responding to this RFP, certifies that to the best of its knowledge or belief, no elected/appointed official or employee of the Town is financially interested, directly or indirectly, in the services specified in this RFP.

Proposer must include as part of its Response a detailed statement describing any relationships; professional, financial or otherwise that it may have with the Town, its elected or appointed officials, its employees or agents or any of its agencies or component units for the past five (5)

years, together with a statement explaining why such relationships do not constitute a conflict of interest relative to performing the Services sought in this RFP. Additionally, the Proposer shall give the Town written notice of any other relationships; professional, financial or otherwise that it enters into with the Town, its elected or appointed officials, its employees or agents or any of its agencies or component units during the period of the Contract.

Further, Proposer must disclose the name of any Town employee who owns, directly or indirectly, an interest of five percent (5%) or more of the total assets of capital stock in the Proposer's company.

Failure by the Proposer to disclose this information will result in the Response being deemed non-responsive.

#### **4.15 Debarred/Suspended Vendors**

An entity or affiliate who has been placed on the State of Florida debarred or suspended vendor list may not submit a Response or contract with a public entity for the construction or repair of a public building. In addition, such entity or affiliate may not perform any work as a supplier, subcontractor, or consultant, or subconsultant under any contract with any public entity, and may not transact business with any public entity. Any Proposer who submits a Response that includes such an entity or affiliate shall be deemed non-responsive and the Response will not be considered.

#### **4.16 Nondiscrimination**

Proposer agrees that it shall not discriminate as to race, sex, color, age, religion, national origin, marital status, or disability in connection with its performance under this RFP. Furthermore, Proposer agrees that no otherwise qualified individual shall solely by reason of his/her race, sex, color, age, religion, national origin, marital status or disability be excluded from the participation in, be denied benefits of, or be subjected to, discrimination under any program or activity.

#### **4.17 Contingent Fees**

Proposer represents and warrants to the Town that it has not employed or retained any person or company to solicit or secure the award of an Agreement, and that it has not offered to pay, paid, or agreed to pay any person, company, corporation, or firm any fee, commission, percentage, brokerage fee, or gift of any kind contingent upon or in connection with, the award or making of an Agreement.

#### **4.18 Assignment; Non-Transferability of Response**

A Response shall not be assigned, transferred, purchased, or conveyed. A Proposer who is purchased by or merged with any other corporate entity during any stage of the Proposal process, through, to and including awarding of and execution of an Agreement, shall have its Response deemed non-responsive and shall not be considered or further considered for award.

#### **4.19 Drug Free Workplace**

Proposer that meets the requirements of Florida Statute 287.087 shall receive preference should a tie occur in the ranking of the Responses by the Evaluation Committee.



Should a tie in the ranking of Responses occur the tied Proposers shall be requested to submit an affidavit, if applicable, attesting to meeting the requirements.

## SECTION 5 – INSTRUCTIONS FOR PREPARING A RESPONSE

Proposer's Response to this RFP must contain the following information and documents follow the instructions in its preparation. Failure to do so may deem your Response non-responsive. Non-responsive submittals will receive no further consideration.

### 5.1. Preparation Requirements

Each Response must contain the following documents and forms required by Sections 5.1 A&B, each fully completed, and signed as required utilizing the same outline as provided in the RFP. Documents shall be separated by a tabbed divider identifying the corresponding section number. Proposers are not to submit any information in response to this RFP that has not been requested or which the Proposer considers confidential. Submission of any confidential information will be deemed a waiver of any confidentiality or other such protection, which would otherwise be available to the Proposer, except as specifically permitted under Florida Statute. Proposers are not to include any documents not specifically required or requested, including, but not limited to; media and public relations literature, annual reports, pictures, etc. Such documentation will not be considered and will be redacted from the copies provided to the Evaluation Committee. The submission of such documentation may adversely affect the evaluation of the Response by the Evaluation Committee. Page limitations have been established for some of the Town Forms, as well as other documents. Any pages submitted in excess of the page limitations will be redacted or removed and not provided to the Evaluation Committee for consideration during the evaluation process. The font size and type for Town Forms are set and cannot be changed. Proposer shall use the font style Calibri, Times New Roman, or Arial, with a font size of 11 or 12 for any other information or documents to be submitted.

Hard cover binders are not to be used in the submission of the Response. Only heavy stock paper, not exceeding 100#, is to be used for the front and back covers, as well as the required section dividers. Proposers should also make every effort to utilize recycled paper in preparing its proposal. Double sided printing is permitted provided that the Response complies with the format set forth in this Section of the RFP.

#### A. TECHNICAL PROPOSAL

##### **Proposal Letter (maximum1 page)**

1. Proposer shall complete and submit Form RFQ-PL for this section of the Response.

##### **2. Proposer's Qualifications**

- i. Complete Form RFP-PQ.
- ii. Describe the results of all desk reviews of field reviews performed by Federal or State agencies with the past (5) years. Disclose whether any disciplinary action has been taken against the Proposer as a result of these reviews. Provide a current status report on the situation.
- iii. Describe any other Proposer's experience, not covered by any of the stated submittal requirements of the RFP, related to the Services to be performed that

the Proposers believes are unique to its organization and would benefit the Town.  
**(Maximum 1 page)**

**3. Proposer's Information (Maximum 1 page)**

Proposer shall provide:

- i. Proposer's understanding of the standards of auditor independence, pursuant to Florida Statute 473.315 and Florida Administrative Order 61 H1-21.001.
- ii. Confirmation that Proposer and all proposed key personnel (including subcontractors) primarily responsible for the timely completion of the segment audit (i.e., Audit Partners, Audit Managers, Seniors and staff) meet the appropriate guidelines for independence, pursuant to Florida Statute 473.315 and Florida Administrative Order 61 H1-21.001.
- iii. Assurance that Proposer and all proposed key personnel (including subcontractors) primarily responsible for the timely completion of the segment audit (i.e., Audit Partners, Audit Managers, Seniors and staff) shall maintain their independence throughout the Town's audit engagement.

**4. Proposer's Team & Key Personnel**

- i. Provide a table of organization showing all key personnel to be assigned to the Project, which also reflects the reporting structure of the Team. Key Personnel include Partners, Managers, Seniors, auditors or any other professional staff that will perform Services under the Agreement.
- ii. Complete Form RFP-PT.
- iii. Provide a brief job description of each position classification, including the experience requirements to hold the position classification.
- iv. One page resume for each of the Key Personnel that includes prior applicable/comparable experience (including governmental experience), a description of their responsibilities, experience to hold their position, including academic qualifications.
- v. Provide copies of licenses and certifications for all key personnel.

**5. Proposer's Experience & Past Performance**

- i. Complete Form RFP-PE.
- ii. Complete Form RFP-PE-R demonstrating that Proposer has completed the required two external governmental audits, as the prime contractor, comparable in size, scope, and complexity.

**6. Proposer's Methodology & Project Plan (maximum 2 pages)**

- i. Describe Proposer's Project plan, methodology and recommended solutions in performing the Services, and describe Proposer's specific policies, plans, procedures or techniques to be used in providing the Services to be performed. The Proposer shall describe its approach to project organization and management, including the responsibilities of Proposer's management and staff personnel that will perform work on this Project.

- ii. Provide a project schedule identifying specific key tasks and duration, in gantt chart format, to complete the annual financial audit due by March 31 of each succeeding fiscal year.
- iii. Describe Proposer's approach to preparing its annual audit work plan as described in Section 3, Scope of Services. Provide an outline of how the work plan will look, a sample work plan, or a draft of the work plan.
- iv. Describe Proposer's specific policies, procedures or techniques used to develop information for annual management letters.
- v. Describe Proposer's procedures in monitoring the progress of the audit and communicating same with client while the audit is in progress.
- vi. Describe the nature and extent of Electronic Data Processing (EDP) audit techniques to be used to perform the Services by the Proposer in the examination of the Town's financial statements, and provide a description of work to be done in accordance with current applicable auditing standards (effects of EDP on the auditors study and evaluation of Internal Control).
- vii. Describe Proposer's ability to provide the County with analysis of current developments of the Governmental Accounting Standards Board (GASB) and Financial Accounting Standards Board (FASB) pronouncements as it relates to the County's audit segment.
- viii. Describe the Proposer's professional development program, including the approximate number of days per year of continuing education provided to members of the Proposer including governmental continuing education requirements in accordance with the "Yellow Book".

## **7. Documents**

- i. Copy of Proposer's license to practice public accounting as a Certified Public Accountant in the State of Florida
- ii. Documentation substantiating good standing with GFOA, AICPA, and FICPA.
- iii. Proof of current membership in GFOA, AICPA, and FICPA.
- iv. Document the completion of and provide a copy of external quality control peer review completed within the past three (3) years without a failing score in accordance with Generally Accepted Government Auditing Standards (GAGAS). Indicate if the peer review included a review of the quality of the governmental audit.
- v. Provide most recent business financial statements as of a date not earlier than the end of the Proposer's preceding official tax accounting period, together with a statement in writing, signed by a duly authorized representative, stating that the present financial condition is materially the same as that shown on the balance sheet and income statement submitted, or with an explanation for a material change in the financial condition. A copy of the most recent business income tax return will be accepted if financial statements are unavailable.

## **8. Form of Agreement**

Proposer shall include any comments related to the Town's form Agreement included as part of the RFP.

## **9. Affidavits**

- i. Form AK (Anti-Kickback Certification)
- ii. Form NCA (Non-Collusive Affidavit)
- iii. Form PEC (Public Entity Crime Affidavit)

## **B. PRICE PROPOSAL**

The Proposer is required to complete Form RFP-P.

### **i. Submission of Price Proposal**

The Price Proposal shall be submitted in a **separate sealed envelope** concurrent with the submittal of the Technical Proposal, utilizing the Price Proposal Form, RFP-P

The additional services are ancillary and the Town anticipates these services will represent approximately 5-10% of the Audit work

The Price Proposal shall be based upon and include any and all costs or expenses to be incurred by the Proposer in completing all aspects of the Project, including all direct costs and expenses, and shall also include all other costs and expenses including but not limited to such costs as the Proposer's general, administrative and overhead costs; project management and supervisory costs; all fees, charges and taxes; labor, direct and indirect payroll costs; insurance costs; cost of equipment, material, tools and transportation; and operating margin (profit).

Price Proposals are submitted for the purposes of determining the successful proposers and establish the maximum potential value of the Agreement to be awarded by the Town. The Town, at its sole discretion, may conduct further negotiation to determine the final value of the Agreement to be awarded.

### **ii. Proposal Errors**

Where Price Proposal forms have erasures or corrections, the Proposer must initial each erasure or correction in ink. Errors between any sum, computed by the Proposer and the correct sum will be resolved in favor of the correct sum. Any discrepancy between words and numbers will be resolved in favor of the written word. Use of any other forms will result in the rejection of the Response as non-responsive.

### **iii. Evaluation of Price Proposal**

The Price Proposal will be evaluated in the following manner:

- a. The price points will be allocated based on Section A.
- b. Sections B and C will be used for informational purposes only and will not be scored.
- c. Every other Response will be given points proportionally in relation to the lowest total base cost. This point total will be calculated by dividing the lowest total

base cost by the total base cost being evaluated. The result being multiplied by the maximum weight for the price for the Phase to arrive as a cost score of less than the full score for price.

**Example:**

|  |   |
|--|---|
| <u>Lowest Total Base Cost Proposed</u> | Total Points  |
| Proposer's Proposed Total Base Cost    | $\frac{\text{X}}{\text{Lowest Total Base Cost Proposed}} \times \text{Total Points} = \text{Price Score}$ |

Lowest Bid for Section A is \$1,000

Your Bud for Section A is \$1,500

Your Price Score would be 0.67 multiplied by 10 points, which produces a Price Score of 6.6 points.

Failure of the Proposer to provide all of the required pricing detail shall be cause for rejection of the Response as non-responsive.

## 5.2 **Evaluation Procedures**

The procedure for response evaluation and selection is as follows:

1. Request for Proposals issued.
2. Receipt of Responses.
3. Opening of Technical Proposals and listing of all Responses received.
4. Preliminary review of the Technical Proposals by Town staff for compliance with the submission requirements of the RFP, including verification that each Response includes all required documents.
5. Review by Town Staff to confirm that the Proposer's Team is qualified to render the required services according to State regulations.
6. The Selection Committee, appointed by the Town Manager, shall meet to evaluate each responsive Technical Proposal in accordance with the requirements of the RFP. At the Committee's option, the Proposers may be required to attend an interview session. The Selection Committee may, at its sole discretion, shortlist the proposers and may invite only the shortlisted firms to an interview session.
7. Subsequent to completing its evaluation of the Technical Proposals, the Price Proposals will be opened by Town staff at the Selection Committee meeting.
8. Town staff will calculate the score for each Price Proposal in accordance with the methodology stated in Section 5 and advise the Selection Committee.
9. Town staff will then total the score of each Proposer and advise the Selection Committee of each Proposer's combined score.
10. The Selection Committee forwards its recommendation of the most qualified Proposer to the Town Manager inclusive of the ranking of the Responses.

11. The Town Manager shall review the Selection Committee's recommendation and make a recommendation to the Town Council for award, reject all Responses, or return the recommendation to the Selection Committee for reconsideration. In the event of a tie the recommendation of the Town Manager shall control. The Town Manager may submit a recommended firm or "short list" of a combination of a recommended firm and the "short list" to the Town Council.
12. The Town Manager may attempt to negotiate an Agreement with the most qualified Proposer.
13. The Town Council shall make the final award.
14. If the Town Manager is unsuccessful in negotiating an Agreement with the highest ranked firm the negotiations with the firm will be terminated and the Town Manager will attempt to negotiate an Agreement with the next highest ranked firm and so on.

### **5.3 Evaluation Criteria**

Responses shall be evaluated according to the following criteria and respective weight:

- |   |                   |
|---|-------------------|
| ➤ Proposer's Experience, Qualifications, & Past Performance | Maximum 40 points |
| ➤ Relevant Experience & Qualifications of Key Personnel     | Maximum 35 points |
| ➤ Approach to providing the Services                        | Maximum 15 points |
| ➤ Price Proposal  | Maximum 10 points |

## **RFP Forms and Documents**

The following list is provided for information purposes only to assist Proposers in preparing their Response. Every effort has been made to identify all of the documents and forms but it is the sole responsibility of the Proposer to ensure that all of the required forms and documents are included.

- |                  |                               |
|------------------|-------------------------------|
| 1. Attachment A  | Agreement                     |
| 2. Attachment B  | CAFR                          |
| 3. Form PEC      | Public Entity Crime Affidavit |
| 4. Form AK       | Anti-Kickback Affidavit       |
| 5. Form NCA      | Non-Collusive Affidavit       |
| 6. Form RFP-PL   | Proposal Letter               |
| 7. Form RFP-PQ   | Proposer's Qualifications     |
| 8. Form RFP-PE   | Proposer's Experience         |
| 9. Form RFP-RE-R | Proposer's Reference Letter   |
| 10. Form RFP-PT  | Project Team                  |
| 11. Form RFP-P   | Price Proposal                |